



DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

December 9, 2013

REPLY TO
ATTENTION OF

Operations Division
Eastern Evaluation Section

Project Manager
Stephanie Castaing
Stephanie.L.Castaing@usace.army.mil
(504) 862-1564

SUBJECT: MVN 2013-2852-EPP

PUBLIC NOTICE

Interested parties are hereby notified that an application has been received by the District engineer for a Department of the Army permit to authorize the following pursuant to (X) Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or () Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

**Install and maintain a boatshed within Bayou Terre Au Boeuf,
in St. Bernard Parish, Louisiana**

NAME OF APPLICANT: Brian McClure, % N & N Construction, Attn: Debbie Mones, 317 E. Magistrate Street, Chalmette, Louisiana, 70043.

LOCATION OF WORK: Located within Bayou Terre Au Boeuf, at 4254 Delacroix Highway, in Saint Bernard Parish, Louisiana, as shown on the enclosed drawings.

Latitude: 29.78072/Longitude: -89.77837, Hydrologic Unit Code 08090203 – Eastern Louisiana Coastal

CHARACTER OF WORK: Install and maintain a 34' x 80' boatshed. No dredging and/or fill activities are proposed. The applicant maintains that no jurisdictional wetlands would be directly affected by this action, thus no compensatory mitigation is anticipated.

The comment period will close **15 days** from the date of this public notice advertisement. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons therefore, are being solicited from anyone having interest in this permit request. Letters must reference the applicant's name and the subject number, be addressed and mailed to the above address, ATTENTION: REGULATORY BRANCH.

Individuals or parties may request an extension of time in which to comment on the proposed work by writing or e-mailing the Corps of Engineers Project Manager listed above. Any request must be specific and substantively supportive of the requested extension, and received by this office prior to the end of the initial comment period. The Section Chief will review the request and the requestor will be promptly notified of the decision to grant or deny the request. If granted, the time extension will be continuous to the initial comment period and, inclusive of the initial comment period, will not exceed a total of 30 calendar days.

Corps of Engineers Permit Criteria

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public, federal, state, and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to make, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The New Orleans District is unaware of properties listed on the National Register of Historic Places near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, historical sites, or data. Issuance of this public notice solicits input from the State Archeologist and State Historic Preservation Officer regarding potential impacts to cultural resources.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Departments of Interior or Commerce, nor affect any habitat designated as critical to the survival and recovery of any endangered species.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of up to N/A acres of EFH utilized by various life stages of red drum and penaeid shrimp. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency. Also, a certification that the proposed activity will not violate water quality standards will be required from the Department of Environmental Quality, Water Quality Certifications Section before a permit is issued.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The applicant has certified that the proposed activity described in the application complies with and will be conducted in a manner that is consistent with the Louisiana Coastal Resources Program. The Department of the Army permit will not be issued unless the applicant received approval or a waiver of the Coastal Use Permit by the Department of Natural Resources.

You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

Michael V. Farabee
Chief, Eastern Evaluation Section

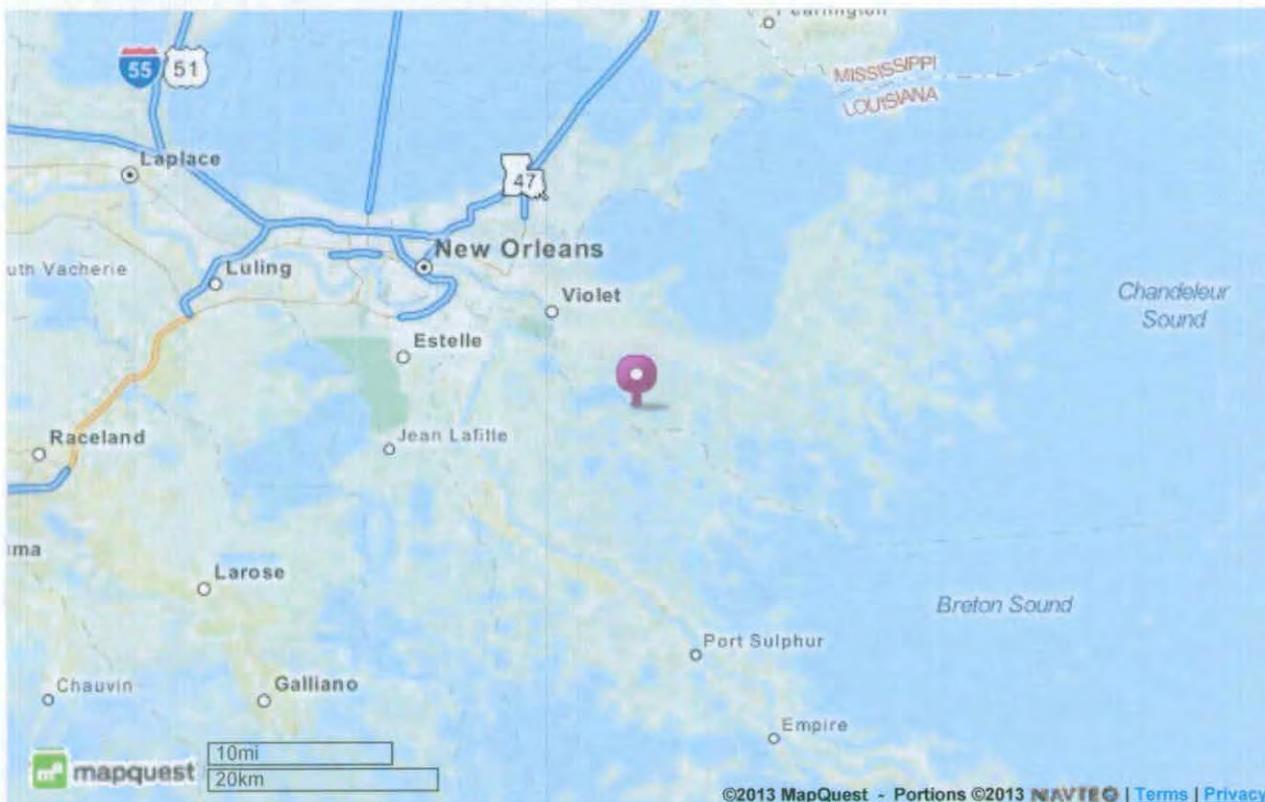
Enclosures



Map of:
4254 Delacroix Hwy
Saint Bernard, LA 70085-4654

Notes

BOOK TRAVEL with **mapquest** (877) 577-5766



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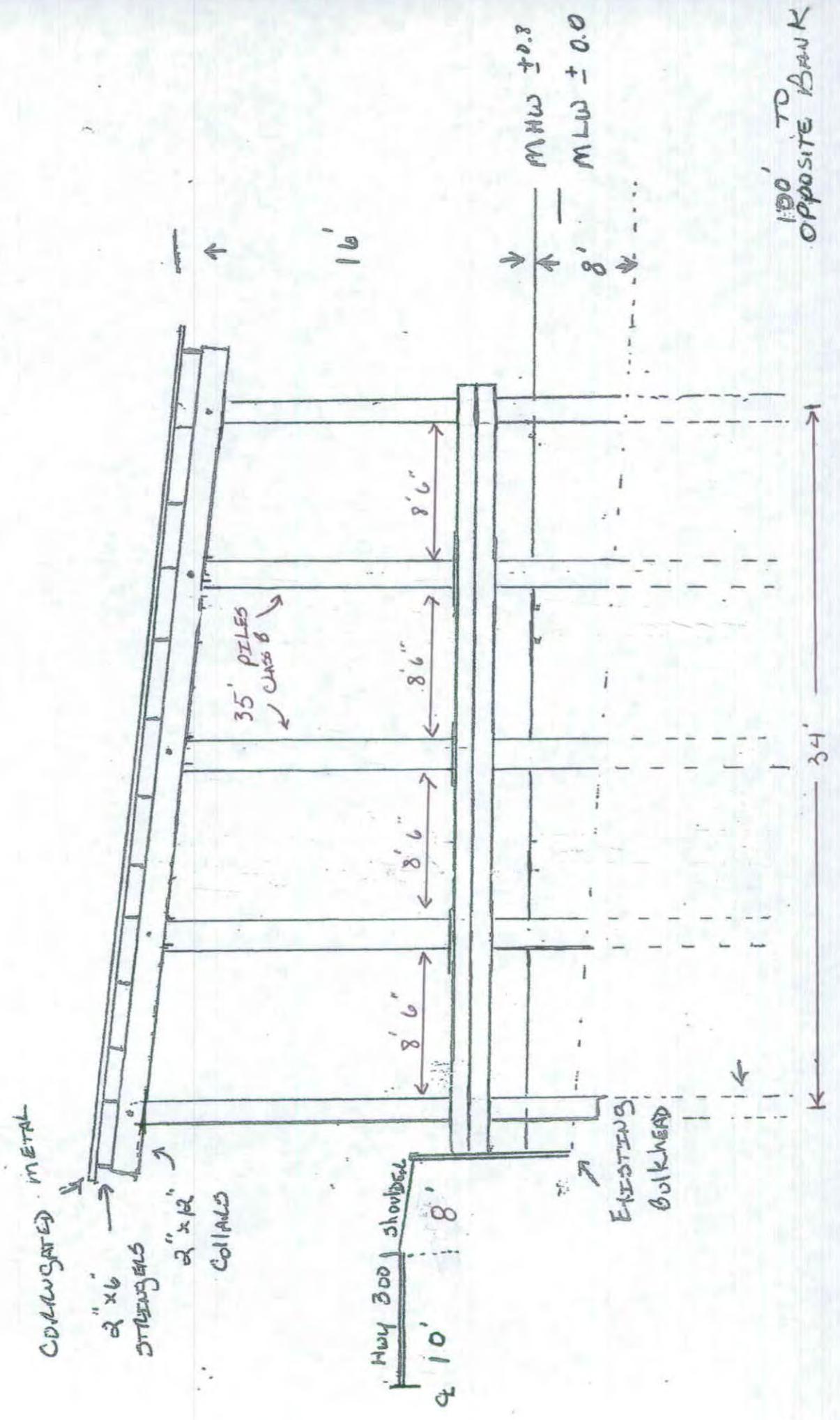
4354
Delacroix

PROPOSED BOAT SHED FOR BRIAN McCLURE

4254 DELACROIX HWY.

BAYOU TEMPE AU BOUEF

N 29° 46' 50.58"
W 89° 46' 42.14"



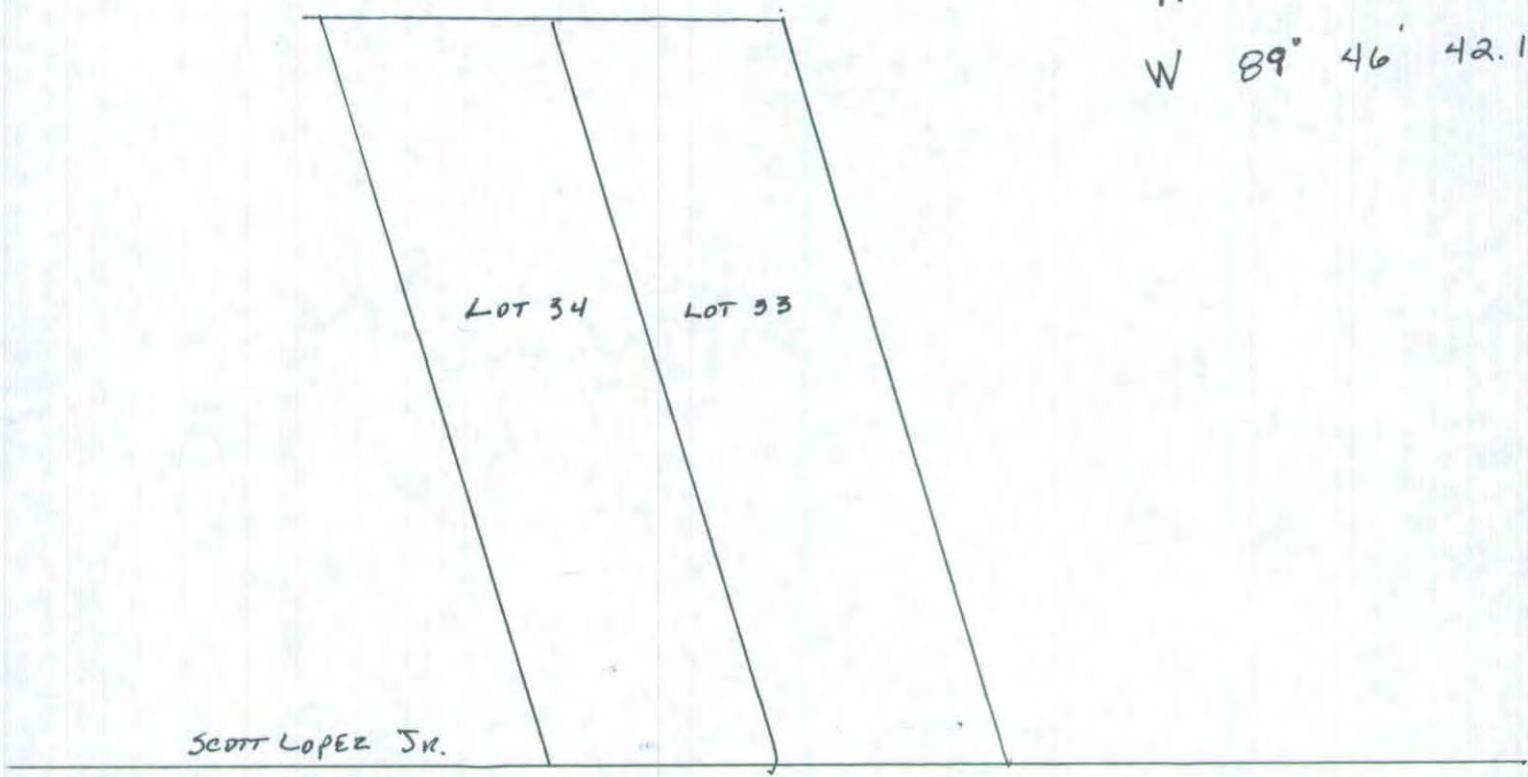
PROPOSED BOAT SHED FOR BRIAN McCLURE

4254 DELACHOIX Hwy.

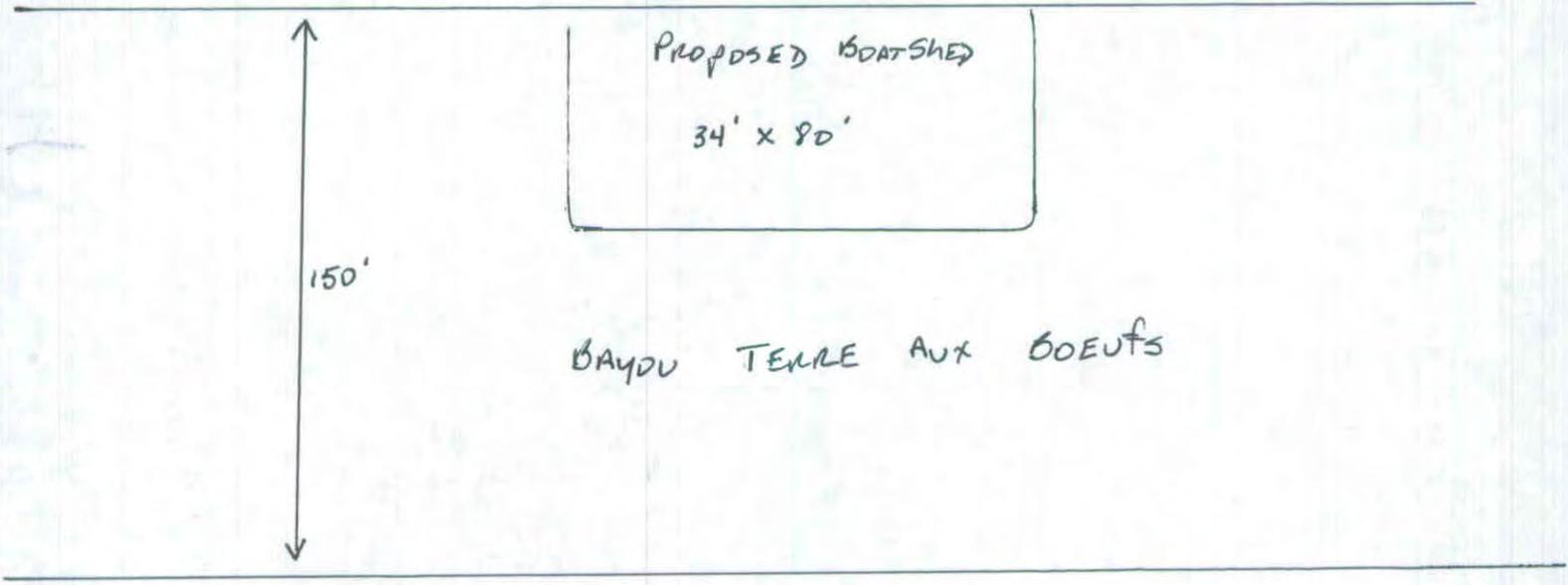
BAYOU TERRE AU BOUEF



N 29° 46' 50.58"
W 89° 46' 42.14"



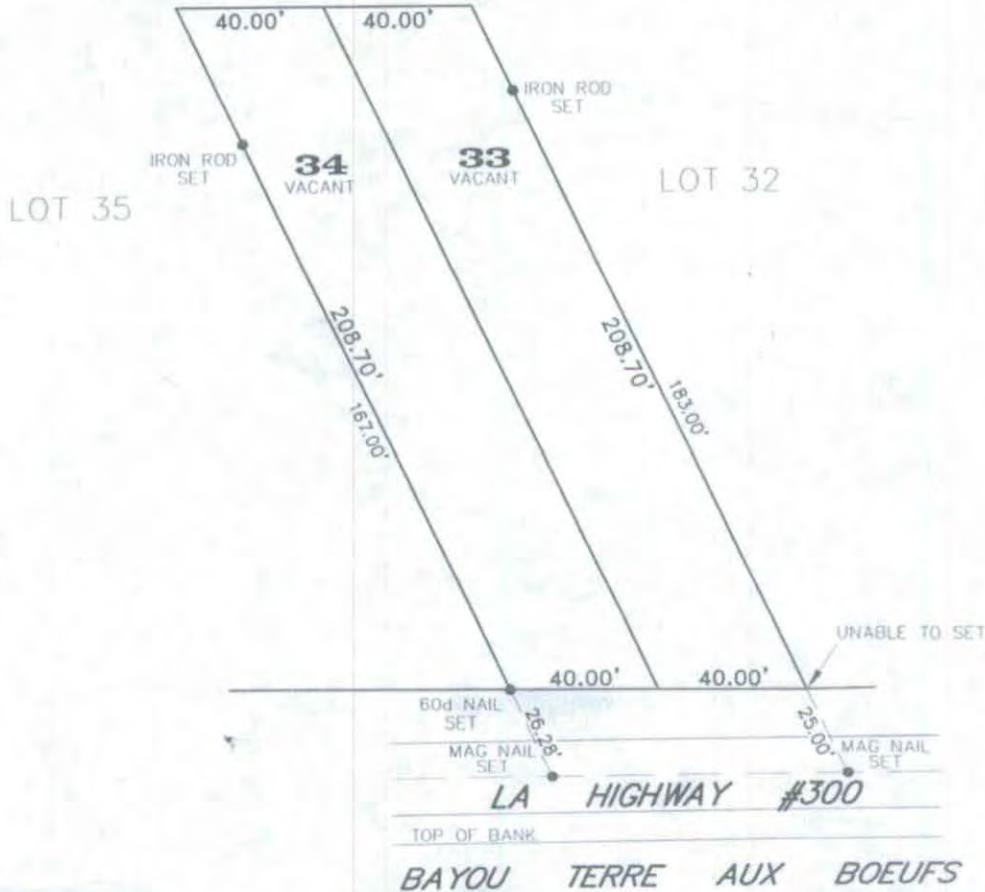
LA. HWY. 300



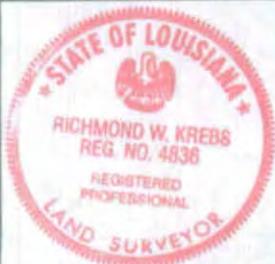
**BOUNDARY SURVEY OF
LOTS 33 AND 34
LOREN PORTIER
ST. BERNARD PARISH, LA.**



EASTERLY BOUNDARY OF SUBDIVISION



NOTE:
ALL ANGLES ARE 90° UNLESS OTHERWISE NOTED. SOME ITEMS MAY NOT BE TO SCALE FOR CLARITY. DIMENSIONS ON SURVEY PREVAIL OVER THE SCALE. FENCES ARE SHOWN FOR GENERAL INFORMATION PURPOSES ONLY AND DO NOT REFLECT EXACT LOCATION OR CONDITION.



GENERAL NOTES

ANGLES AND/OR BEARINGS ARE BASED ON REFERENCE PLAN #1
REFERENCE PLAN #1: A PLAN OF SURVEY BY RW KREBS DATED SEPTEMBER 25, 2012

THE SERVITUDES SHOWN ON THIS SURVEY ARE LIMITED TO THOSE FURNISHED US AND THERE IS NO REPRESENTATION THAT ALL APPLICABLE SERVITUDES ARE REFLECTED OR SHOWN HEREON. THE SURVEYOR HAS MADE NO TITLE SEARCH OR PUBLIC RECORD SEARCH IN COMPILING THE DATA FOR THIS SURVEY.

THIS PERIMETER SURVEY SHALL NOT CONSTITUTE A LEGAL OPINION OF TITLE, AND SHALL NOT BE RELIED UPON FOR THAT PURPOSE. THERE IS NO WARRANTY THAT IT CONFORMS TO THE LEGAL TITLE, AND WAS MADE SOLELY ACCORDING TO THE INFORMATION PROVIDED THE SURVEYOR.

ELEVATION NOTES

THIS IS CERTIFY THAT SUBJECT PROPERTY IS LOCATED IN THE FOLLOWING FLOOD ZONE, PER FLOOD INSURANCE RATE MAP (FIRM) DATED: 5/1/05 FLOOD ZONE: V19
BASIC FLOOD ELEVATION: 14.0' COMMUNITY PANEL: 225204 0490 B

THIS IS TO CERTIFY THAT THE PROPERTY BOUNDARY SURVEY RECORDED HEREON WAS MADE ON THE GROUND UNDER MY DIRECT SUPERVISION, AND IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS AS STIPULATED IN LOUISIANA ADMINISTRATIVE CODE TITLE 46:IX, CHAPTER 25 FOR A CLASS "C" (SUBURBAN) SURVEY

MADE AT THE REQUEST OF BRIAN REED MCCLURE

BY: 

**R. W. KREBS, L.L.C.
RICHMOND W. KREBS
PROFESSIONAL LAND SURVEYING
P.O. BOX 8641
METAIRIE, LA. 70011-8641
PHONE: (504) 889-9618
FAX: (504) 889-0918
E-MAIL: richmondk@rwkrebs.com
WEB: www.rwkrebsllc.com**

DATE: JULY 9, 2013

DRAWN BY: NDK

SCALE: 1" = 40'

CHECKED BY:

JOB #: 131782

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R.W. KREBS, LLC

Your application may be eligible for expedited review if you include these notes:

1. All structures built under the authorization and conditions of this permit shall be removed from the site upon abandonment of the facilities for the herein permitted use, or when these structures fall into a state of disrepair such that they can no longer function as intended. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required, for such removal activities.
2. As-built drawings and/or plats shall have written on them the date of completion of said activities and shall be submitted to the Louisiana Department of Natural Resources, Office of Coastal Management, P.O. Box 44487, Baton Rouge, LA 70804-4487 within 30 days following project completion.
3. In order to ensure the safety of all parties, the permittee shall contact the Louisiana One Call (LOC) system (1-800-272-3020) a minimum of 48 hours prior to the commencement of any excavation (digging, dredging, jetting, etc.) or demolition activity.
4. Structures will be marked/lighted in accordance with U.S. Coast Guard regulations.

RECEIVED

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OFFICE OF COASTAL MANAGEMENT